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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

	X	
ALASKA ELECTRICAL PENSION	)	
FUND, CITY OF SARASOTA	)	NO. 03-1519 (AET)
FIREFIGHTERS' PENSION FUND,	)	(Consolidated)
INTERNATIONAL UNION OF	)	
OPERATING ENGINEERS LOCAL 132	)	PUTATIVE CLASS ACTION
PENSION PLAN, NEW ENGLAND	)	
HEALTH CARE EMPLOYEES PENSION	)	ORAL ARGUMENT REQUESTED
FUND, CHEMICAL VALLEY PENSION	)	
FUND OF WEST VIRGINIA, and PACE	)	DOCUMENT FILED
INDUSTRY UNION-MANAGEMENT	)	ELECTRONICALLY
PENSION FUND, On Behalf of Themselves)	)	
and All Others Similarly Situated,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
PHARMACIA CORPORATION, FRED	)	
HASSAN, G. STEVEN GEIS, CARRIE	)	
COX, and PFIZER INC.,	)	
	)	
Defendants.	)	

**PLEASE TAKE NOTICE** that on a date to be determined by the Court in accordance with the Stipulated Order filed on November 15, 2006, or as soon as counsel may be heard, the undersigned attorneys for defendants Pharmacia Corporation, Fred Hassan, G. Steven Geis, Carrie Cox and Pfizer Inc. shall cross-move for an Order striking new materials submitted by Plaintiffs in connection with their reply in further support of their motion for class certification and for the relief referenced in the proposed form of order annexed hereto, or in the alternative, for leave to file sur-reply submissions in order to respond to new materials submitted by Plaintiffs in support of their motion for class certification.

**PLEASE TAKE NOTICE** that the cross-movants shall rely upon Defendants' Memorandum of Law in Support of Their Cross-Motion to Strike and in Opposition to Plaintiffs' "Motion to Seal," that is submitted herewith.

A proposed form of Order is annexed hereto. The cross-movants respectfully request oral argument.

Dated: November 20, 2006

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By: 

\_\_\_\_\_  
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Attorneys for Pharmacia Corporation, Fred Hassan,

G. Steven Geis, Carrie Cox and Pfizer Inc.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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ALASKA ELECTRICAL PENSION )	
FUND, CITY OF SARASOTA )	NO. 03-1519 (AET)
FIREFIGHTERS' PENSION FUND, )	(Consolidated)
INTERNATIONAL UNION OF )	
OPERATING ENGINEERS LOCAL 132 )	PUTATIVE CLASS ACTION
PENSION PLAN, NEW ENGLAND )	
HEALTH CARE EMPLOYEES PENSION )	
FUND, CHEMICAL VALLEY PENSION )	<b>ORDER GRANTING DEFENDANTS'</b>
FUND OF WEST VIRGINIA, and PACE )	<b>CROSS-MOTION TO STRIKE</b>
INDUSTRY UNION-MANAGEMENT )	<b>NEWLY SUBMITTED MATERIALS</b>
PENSION FUND, On Behalf of Themselves )	
and All Others Similarly Situated, )	
)	
Plaintiffs, )	
)	
v. )	
)	
PHARMACIA CORPORATION, FRED )	
HASSAN, G. STEVEN GEIS, CARRIE )	
COX, and PFIZER INC., )	
)	
Defendants.	
-----X	

**ORDER**

**THIS MATTER** having come before the Court on Plaintiffs' motion regarding the filing of confidential documents under seal in connection with their

reply in further support of their motion for class certification, and on Defendants' cross-motion for an Order striking new materials submitted by Plaintiffs in connection with their reply in further support of their motion for class certification ("Plaintiffs' Reply"), and the Court having reviewed the submissions and considered the positions of the parties; and for good cause shown:

**IT IS**, on this \_\_\_\_ day of \_\_\_\_\_, 2006,

**ORDERED** that Defendants' cross-motion for an Order striking new materials submitted in connection with Plaintiffs' Reply is granted;

**IT IS FURTHER ORDERED** that the following materials and argument are stricken from the record (or to the extent not yet part of the record, excluded from the record), and will not be considered by the Court in support of Plaintiffs' motion for class certification:

- (a) the declaration of Scott D. Hakala;
- (b) the declaration of James M. Wright, M.D.;
- (c) portions of Plaintiffs' Reply that present arguments based on the Hakala Declaration and/or the Wright Declaration;
- (d) the confidential documents and information that were the subject of redaction and/or the subject of Plaintiffs' motion regarding the sealing of certain documents; and
- (e) all other purported documentary evidence submitted for the first time in Plaintiffs' Reply.

**IT IS FURTHER ORDERED** that, because the confidential documents that were the subject of Plaintiffs' motion regarding the filing of confidential documents under seal have been stricken or excluded from the record, Plaintiffs' motion regarding the filing of confidential documents under seal is denied as moot, and the Court will return to Plaintiffs' counsel the confidential documents and reply brief submitted to it, *in camera*, and such documents/information will continue to be treated by the parties as confidential under the protective order.

**IT IS FURTHER ORDERED** that Plaintiffs shall have ten days (10) from the entry of this order to file an amended reply brief which, in accordance with this order, deletes any references to or arguments based upon the materials that have been stricken or excluded by this order. However, such amended reply brief shall not contain any material or arguments not submitted with the original reply brief.

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THE HONORABLE ANNE E. THOMPSON,  
Senior Judge, United States District Court,  
District of New Jersey